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Atty Dkt No. 5030-0001.24  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Evan C. UNGER et al.

Confirmation No.: 8279

Serial No.: 09/912,609

Group Art Unit: 2826

Filing Date: July 25, 2001

Examiner: Unassigned

Title: NOVEL TARGETED DELIVERY SYSTEMS FOR BIOACTIVE AGENTS

**PETITION REQUESTING CORRECTED FILING RECEIPT**  
(CORRECTION OF BENEFIT CLAIM)

Commissioner for Patents

Attention: Office of Initial Patent Examination's Customer Service Center

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a request to correct a benefit claim after filing.

Reference to the prior applications was made in the first sentence of the specification. However, an incorrect serial number was inadvertently identified therein. The serial number was set forth therein as "09/703,474," and should have correctly read "09/703,484." Correction is now requested.

**UNINTENTIONALLY DELAYED BENEFIT CLAIM-FEE REQUIRED**

Under 37 C.F.R. 1.78(a), an unintentionally delayed request to correct a benefit claim after filing can be submitted with a petition requesting such, and the surcharge of \$1300.00 as set forth in 37 C.F.R. 1.17(t).

It is believed that the error arose because the instant application and the parent applications were filed and prosecuted, until now, by different firms. The parent application, U.S. Serial No. 09/703,484, was filed on October 31, 2000 by the predecessor of the undersigned law firm of Reed & Eberle LLP. The instant application, U.S. Serial No. 09/912,609, was filed

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on July 25, 2002, by the firm of Woodcock Washburn. The two applications were prosecuted by these respective firms until about May 27, 2003, when the instant application was transferred to the undersigned.

Upon review of the transferred file wrapper of the instant application, U.S. Serial No. 09/912,609, the error in benefit claim was brought to light and correction is now being requested. Applicants assert that this benefit claim has been unintentionally delayed since the error was just now realized.

#### CORRECTION TO OFFICIAL FILING RECEIPT

Attached is a copy of the official Filing Receipt received from the Patent Office and mailed August 21, 2001 in the above-identified application for which issuance of a corrected filing receipt is respectfully requested.

The following correction to the official Filing Receipt is requested. The Domestic Priority data as claimed by applicant is incorrectly entered as:

This application is a CIP of 09/703,474 10/31/2000  
which is a CIP of 09/478,124 01/05/2000

Please correct the Priority data as claimed by applicant to read:

-- This application is a CIP of 09/703,484 10/31/2000  
which is a CIP of 09/478,124 01/05/2000 --.

#### PRELIMINARY AMENDMENT

A request for Corrected Filing Receipt must be accompanied by an amendment to the specification to reiterated the correct benefit claim. Accordingly, enclosed herewith is a Preliminary Amendment is also enclosed so as to correct the text of the specification where the error occurred.

#### REVOCATION OF POWER OF ATTORNEY AND NEW POWER OF ATTORNEY

Applicants also enclose herewith a copy of the Revocation Of Power Of Attorney And New Power Of Attorney, And Certification Under 37 CFR § 3.73(B)(2), the original of which

has been mailed to the Patent Office separately.

The enclosed power of attorney provides the necessary documentation that the undersigned is authorized to act in this matter.

Respectfully submitted,

By: Shelley P. Eberle  
Shelley P. Eberle  
Registration No. 31,411

REED & EBERLE LLP  
800 Menlo Avenue, Suite 210  
Menlo Park, California 94025  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Evan C. UNGER et al.

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Filing Date: July 25, 2001

Examiner: Unassigned

Title: NOVEL TARGETED DELIVERY SYSTEMS FOR BIOACTIVE AGENTS

**REVOCATION OF POWER OF ATTORNEY AND NEW POWER OF ATTORNEY,  
AND CERTIFICATION UNDER 37 CFR § 3.73(b)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, the undersigned, on behalf of the Assignee of the entire right, title and interest in and to the above-identified patent application, hereby appoint the attorneys listed below to prosecute this application and transact all business with the United States Patent and Trademark Office in connection therewith:

Dianne E. Reed, Reg. No. 31,292  
Shelley P. Eberle, Reg. No. 31,411  
Louis L. Wu, Reg. No. 44,413  
Karen Canaan, Reg. No. 42,382  
Carrie A. Beatus, Reg. No. 47,092

all affiliated with Reed & Eberle LLP, Customer No. 23980. If the affiliation of any of these attorneys is severed from Reed & Eberle LLP, such attorney's association and all powers derived therefrom shall terminate on the date of the severance.

This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provision of 37 CFR § 3.71.

All prior powers of attorney for this application are hereby revoked.

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Please address all future communications to:

Shelley P. Eberle, Reg. No. 31,411  
REED & EBERLE LLP  
800 Menlo Avenue, Suite 210  
Menlo Park, California 94025  
(650) 330-0900 Telephone  
(650) 330-0980 Facsimile

In accordance with 37 CFR § 3.73(b)(2), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee by virtue of:

- ☒ an Assignment recorded in the United States Patent and Trademark Office on July 22, 2002 at Reel 012908, Frame 0575,  
☐ an Assignment attached hereto and submitted for recordal in the United States Patent and Trademark Office on \*.

I hereby declare that these statements were made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code § 1001, and that such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

ImaRx Therapeutics, Inc  
1635 East 18<sup>th</sup> Street  
Tucson, Arizona 85719

Date: June 2, 2003



Name: Nina Ossanna, PhD  
Title: Sr. Director, Business Development

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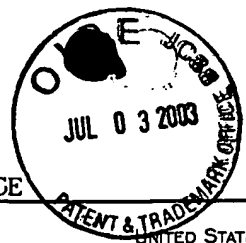
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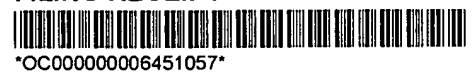
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/912,609	07/25/2001	2826	1115	UNGR-1599	5	100	4

CONFIRMATION NO. 8279

David A. Cherry, Esq.  
WOODCOCK WASHBURN KURTZ  
MACKIEWICZ & NORRIS LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103

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woodcock Washburn Kurtz  
Mackiewicz & Norris LLP

FILING RECEIPT



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DOCKET DEPT. Date Mailed: 08/21/2001  
WWKMN

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Evan C. Unger, Tucson, AZ;  
Terry Onichi Matsunaga, Tucson, AZ;  
Varadarajan Ramaswami, Tucson, AZ;  
Marek J. Romanowski, Tucson, AZ;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/478,124 01/05/2000  
WHICH IS A CIP OF 09/478,124 01/05/2000

09/1703484

Foreign Applications

If Required, Foreign Filing License Granted 08/20/2001

Projected Publication Date: 11/29/2001

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Novel targeted delivery systems for bioactive agents

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Preliminary Class

257

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Data entry by : GIRUM, BERHANU

Team : OIPE

Date: 08/21/2001



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